

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
MONDAY, MARCH 14, 2005 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, CONSENT ITEMS
ORDINANCE TO BE INTRODUCED:

* ITEM-S400: Exemption of a Council Representative I Position from the Classified Service for Council District Six.

COUNCILMEMBER FRYE’S RECOMMENDATION:

Introduce the following ordinance:

(O-2005-109)

Introduction of an Ordinance exempting the position of Council Representative I from the Classified Service for Council District Six.

SUPPORTING INFORMATION:

On February 3, 2005, the Civil Service Commission reviewed a request of Councilmember Donna Frye, District 6, to exempt a Council Representative I position from the Classified Service. This additional position is needed to provide quality service to the constituents of District 6.

Charter Section 117 states that the Unclassified Service shall include "managerial employees having significant responsibilities for formulation and administering department policies and programs. Each such position shall be exempt from the Classified Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and approval of the City Council."

Upon review of the duties and responsibilities of this position, the Commission finds that it meets the intent of the Charter Section 117.

FISCAL IMPACT:

There is no fiscal impact. The Council Representative I Position is being absorbed by the current 2004-2005 Council District Six budget with no increase in its budget.

Ewell/Hadley

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-S401: Principal Joan Stewart Day.

COUNCILMEMBER PETERS' RECOMMENDATION:

Adopt the following resolution:

(R-2005-929)

Declaring March 4, 2005, to be "Principal Joan Stewart Day" in the City of San Diego.

* ITEM-S402: David Potter Day.

COUNCILMEMBER FRYE'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-928)

Commending Dave for his dedication, honesty, integrity, and commitment to the residents of San Diego;

Proclaiming March 15, 2005, to be "David Potter Day" in the City of San Diego.

* ITEM-S403: Excusing Councilmember Frye from the City Council Meeting of March 14, 2005.

COUNCILMEMBER FRYE'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-942)

Excusing Councilmember Donna Frye from attending the regularly scheduled March 14, 2005, City Council meeting, due to her attendance at an event in Sacramento on the same date.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-S404: Request for Proposal Related to a Site for the California Institute for Regenerative Medicine (CIRM).

(See City Manager Report No. CMR-05-067.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-948)

Authorizing the City Manager, or his designee, to submit a proposal in conjunction with private sector businesses in response to the Request for Proposal (RFP) issued by the State of California, Department of General Services on February 28, 2005;

Authorizing the City Manager, or his designee, to ensure by means of proper diligence that all information and certifications within the proposal are accurate and to execute a letter accompanying the proposal that certifies such information.

Staff: Jeff Kavar – (619) 533-4221

ADOPTION AGENDA, CONSENT ITEM
RESOLUTIONS:

* ITEM-S405: Conflict of Interest Code for Family Justice Center.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-897)

Adopting a Conflict of Interest Code for the new Family Justice Center Department, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Declaring that a copy of the new Family Justice Center Department's Conflict of Interest Code as adopted be placed on file with the Office of the City Clerk;

Declaring that the persons whose positions are designated in the new Family Justice Center Department's Conflict of Interest Code shall file their statements of economic interest with the City Clerk;

Declaring that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the new Family Justice Center Department becomes effective upon the date of adoption of this resolution.

CITY MANAGER SUPPORTING INFORMATION:

On November 29, 2004, the Mayor and Council adopted Ordinance Number O-19339, creating a new City department to continue with the management, operations, and future development of the San Diego Family Justice Center. Chapter 2, Article 2, of the San Diego Municipal Code was amended by adding a new Division, and new Sections 22.2201, 22.2202, and 22.2203.

ADOPTION AGENDA, CONSENT ITEMS (Continued)
RESOLUTIONS: (Continued)

* ITEM-S405: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Section 22.2202 allows the appointment of the Director of the Family Justice Center Department by the City Manager. In Manager's Report No. 04-261, the recommendations were to approve three additional positions. Added to the Family Justice Center were a Director of Client Services, a Grants Analyst, and a secretary. The Family Justice Center positions to be included in the Conflict of Interest Code are: the Director, Grants Analyst, and Director of Client Services.

FISCAL IMPACT:

None.

Ewell/Strack

Staff: Gael B. Strack – (619) 533-6010

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-S406: Sports Arena Naming Rights Agreement.

(Midway/Pacific Highway Corridor Community Area. District 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-925)

Approving renaming the San Diego Sports Arena to "ipayOne Center";

Approving the identification signage as set forth in Section 4.2 of the Naming Rights Agreement between Arena Group 2000, L.P., and I Pay One, Inc.;

Approving the form of the Naming Rights Agreement.

CITY MANAGER SUPPORTING INFORMATION:

Arena Group 2000, L.P. ("AG 2000") is the operator of the San Diego Sports Arena ("Sports Arena"), under an Operating Sublease Agreement ("Operating Sublease"). Pursuant to Resolution No. 296247 dated April 2, 2002, the Mayor and Council authorized the City Manager to execute a fourth amendment to the Operating Sublease with AG 2000 which allows AG 2000 to enter into a naming rights agreement for the Sports Arena provided the following requirements are met:

- The identity of the naming rights entity and the identification signage shall be subject to prior written consent of the City, pursuant to City Council resolution.
- The form of the naming rights agreement shall be subject to the reasonable approval of the City.
- Consideration to the City will be 10% of the gross revenue derived from the naming rights agreement.
- The naming rights entity must not be in violation of Charter Section 225 or Council Policy 000-04.

Accordingly, AG 2000 has submitted the Naming Rights Agreement ("Agreement") entered into with I Pay One, Inc ("IPI"). IPI is a discount real estate brokerage firm, headquartered in Carlsbad. The following is an outline of the terms of the Agreement:

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)
RESOLUTIONS: (Continued)

ITEM-S406: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

- Minimum term five years, maximum term to coincide with the expiration of the Operating Sublease (May 7, 2017).
- The Sports Arena will be known as the "ipayOne Center".
- The name and associated logo will be featured throughout the arena and on signage located in the arena parking lot, (The location of signage is specified in Section 4.2 of the Agreement. The ipayOne logo is also attached).
- IP1 will pay AG 2000 \$200,000 in the first year of the Agreement; \$500,000 in the second year; \$600,000 in the third, fourth and fifth years; and \$500,000 every year thereafter.

FISCAL IMPACT:

The City will receive \$20,000 in the first year of the Agreement (FY05); \$50,000 in the second year; \$60,000 in the third, fourth and fifth years; and \$50,000 every year thereafter.

Herring/Griffith/GJ

Staff: Gary Jones - (619) 236-6264